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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,140	08/10/2001	Valentin Oprescu-Surcobe	CE09004R	6482

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EXAMINER

ABELSON, RONALD B

ART UNIT PAPER NUMBER

2666

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,140

Applicant(s)

OPRESCU-SURCOBE ET AL.

Examiner

Ronald Abelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,8,9,12-14 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 2-4,7,10,11,15,16,21 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 8, 9, 14, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen (US 20040171400) further in view of Ericsson (US 6,223,047).

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35

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U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

In this office action the examiner corresponds the applicant's paging slot with the slots between the current paging slot and the next appropriate paging slot of Rosen [0104]. Note, the applicant states "This group of frames, referred to as its 'paging slot'" (pg. 1: lines 26-27).

Regarding claims 1 and 14, Rosen teaches a method for a communication unit to extend battery life ([0101], conserve battery life, mobiles).

Rosen teaches exiting a sleep mode in which power is conserved to begin monitoring a paging slot ([0104], mobile may wake up every predetermined number of slots).

Rosen teaches receiving in the paging slot an indication if a message will be transmitted by a communication infrastructure in the paging slot ([0104], one-bit indicator).

Rosen teaches determining if a message will be received by the communication unit during the paging slot ([0104], If the extracted bit is not set, If the extracted bit is set).

Rosen teaches when no message will be received, entering a sleep mode to conserve power ([0104], If the extracted bit is not set, mobile sleeps).

Regarding claims 14, in addition to the limitations previously listed, a receiver, and a processor coupled to the receiver (Rosen: fig. 1 box 102).

Rosen is silent on receiving in the paging slot / cycle an indication of what groups / types of messages will be transmitted, determining whether any of the groups indicated need to be received, and when the groups of messages do not be received, entering a sleep mode.

Ericsson teaches receiving in the paging slot / cycle an indication of what groups / types of messages are transmitted (testing the message type, col. 8 lines 60-65), determining whether any of the groups indicated need to be received during the paging slot (two bits are used to distinguish, testing the message type, col. 8 lines 57-65), and when the groups of messages do not be received, entering a sleep mode (after testing the message type, the mobile phone either ignores the rest of the cycle by powering down till the next syncs are due, col. 8 lines 60-65).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Rosen by transmitting in the beginning of the paging slot a multiple bit indicator to indicate which groups/types of messages will be received within the paging slot. This modification can be performed according to the teachings of Ericsson. The suggestion to modify is by knowing the message type, a determination can be made for how long to power down the receiver (Ericsson: col. 8 lines 47-49). This would benefit the system by allowing the mobile to operate in the sleep mode for a greater time period.

Regarding claims 9 and 18, Rosen teaches a communication infrastructure to facilitate communication units in extending their battery life (fig. 1 box 116, [0101], conserve battery life, mobiles).

Rosen teaches determining if a message will be transmitted during a paging slot (fig. 1 box 116, [0104], one-bit indicator). Note, after determining if a message will be sent, the transmitter sends the one-bit indicator on the forward quick paging channel 'F-QPCH').

Rosen teaches transmitting in the paging slot (fig. 1 box 116) an indication if a message will be transmitted during the paging slot to enable receiving communication units to enter a

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sleep mode and conserve power if no message will be received ([0104], one-bit indicator, if the extracted bit is not set mobile sleeps).

Rosen teaches transmitting in the paging slot the message ([0104], If the extracted bit is set, a page may be pending, next appropriate paging channel slot).

Regarding claim 18, in addition to the limitations previously listed, a controller and a base site coupled to the controller (Rosen: fig. 1 box 122, 116).

Rosen is silent determining what groups of messages will be transmitted during the paging slot / cycle; transmitting in the paging slot an indication of what groups of messages are transmitted during the paging slot / cycle to enable receiving communications units to conserve power when the groups of messages indicated do not need to be received; and transmitting in the paging slot / cycle the messages of the groups indicated.

Ericsson teaches determining what groups / types of messages will be transmitted during the paging slot / cycle (two bits of the message are used to distinguish, col. 8 lines 57-60: note first Ericsson determined what groups of messages will be

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transmitted, then he transmitted the message type); transmitting in the paging slot / cycle an indication of what groups / types of messages are transmitted during the paging slot / cycle (two bits of the message are used to distinguish, col. 8 lines 57-60) to enable receiving communications units to conserve power when the groups of messages indicated do not need to be received (after testing the message type, the mobile phone either ignores the rest of the cycle by powering down till the next syncs are due, col. 8 lines 60-65) and transmitting in the paging slot / cycle the messages of the groups indicated (quits the standby mode, col. 8 lines 60-65). Note, the mobile quits the standby mode to receive the transmitted message.

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Rosen by transmitting in the beginning of the paging slot a multiple bit indicator to indicate which groups/types of messages will be received within the paging slot. This modification can be performed according to the teachings of Ericsson. The suggestion to modify is by knowing the message type, a determination can be made for how long to power down the receiver (Ericsson: col. 8 lines 47-49). This would benefit the system by allowing the mobile to operate in the sleep mode for a greater time period.

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Regarding claim 8, the types of messages comprise at least one message selected from the group consisting of broadcast message type, system overhead type (nonslotted-individually-addressed-or-multicast-message, and slotted-individually-addressed-or-multicast-message (Rosen: page, [0104])). The examiner corresponds the applicant's slotted-individually-addressed-or-multicast-message with the page of Rosen.

Regarding claim 19, the communication infrastructure is CDMA (Rosen: [0025])).

4. Claims 5, 12, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Rosen and Ericsson as applied to claims 1, 9, 14 respectively above, and further in view of Diachina (US 5,655,215).

Although the combination of Rosen and Ericsson teaches an indication of what groups of messages will be transmitted during the paging slot, the combination is silent on the indication is of which groups of communication units will be addressed by messages transmitted during the paging slot.

Diachina teaches a method for indicating which groups of communication units will be addressed (group identity field, col. 6 lines 21-27).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Rosen and Ericsson by appending to the multiple bit indicator a group identity field. This modification can be performed in software as shown by Diachina. The suggestion to modify is a designated group of mobiles may be paged with one page (Diachina: col. 6 lines 21-27).

5. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Rosen, Ericsson and Diachina as applied to claims 5 and 12 respectively above, and further in view of Newton.

Although the combination teaches the indication of which groups of communication units will be address is a sequence of bits (Diachina: group identity field, col. 6 lines 21-27), the combination is silent on bit compression.

Newton teaches bit compression (pg. 181).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of combination Rosen, Ericsson and Diachina by performing bit compression on the

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message indicator. This modification can be performed according to well-known bit compression algorithms. The suggestion to modify is compression reduces the bandwidth or number of bits needed to encode (Newton: pg. 181). This will benefit the system since compression saves time or capacity (Newton: pg. 181).

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Rosen and Ericsson as applied to claim 18 above, and further in view of Grille (US).

In addition to the limitations previously listed, the combination teaches the indication of what groups of messages will be transmitted is transmitted on a paging channel 'PCH' (Rosen: [0104] forward quick paging channel F-QPCH).

The combination is silent on the message is encoded, interleaved and CRC protected.

Grille teaches interleaving in a CDMA environment, the message being encoded, interleaved and CRC protected (fig. 2 box 214, [0026]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Rosen and Ericsson by using the encoder of Grille for encoding messages. The suggestion to modify is the encoder performs a

number of functions, depending on the particular CDMA system or standard (Grille: [0026]).

Response to Arguments

7. Applicant's arguments filed 12/13/2005 have been fully considered but they are not persuasive. The applicant asserts that Ericsson does not teach receiving / transmitting an indication of what groups of messages will be transmitted (pg. 10 last paragraph). The applicant admits that Ericsson teaches "two bits" are used to indicate the message type (pg. 10 last paragraph). The examiner maintains that the applicant's groups correspond to Ericsson's types. Referring to Ericsson (col. 8 lines 47-65), the "two bits" are used to distinguish between the groups of single word messages and multiple word messages. The applicant interchanges the words "groups" and "types". As noted in claim 2, "the indication of what **groups** of messages will be transmitted in the paging slot comprises an indication of what **types** of messages will be transmitted in the paging slot". Furthermore, the examiner has enclosed a copy of Webster's Dictionary that defines "type" as "a particular kind, class, or group".

Allowable Subject Matter

8. Claims 2-4, 7, 10, 11, 15, 16, and 21-22 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Ronald Abelson
Examiner
Art Unit 2666

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